

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. NO.: 3581-10  
BILL NO.: HCS for SS for SB 813  
SUBJECT: Law Enforcement Agencies: Employee/Employer, Funerals  
TYPE: Original  
DATE: April 17, 2000

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**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON STATE FUNDS</b>			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
General Revenue*	(\$0 to \$770,000)	(\$0 to \$770,000)	(\$0 to \$770,000)
<b>Total Estimated Net Effect on <u>All</u> State Funds</b>	<b>(\$0 to \$770,000)</b>	<b>(\$0 to \$770,000)</b>	<b>(\$0 to \$770,000)</b>

\*—SUBJECT TO APPROPRIATION—

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
None			
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses  
This fiscal note contains 6 pages.

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**FISCAL ANALYSIS**

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ASSUMPTION

Disciplinary Hearings

Officials from the **Office of Administration, Department of Public Safety - Missouri Highway Patrol, Office of State Courts Administrator, and the Office of Attorney General** assume this proposal would have no fiscal impact to their agencies.

In response to a similar proposal, officials from the **Jefferson City Police Department** assumed there would be no fiscal impact to their agency.

In response to a similar proposal, officials from the **Department of Public Safety - Director's Office** assumed the state will be required to reimburse municipalities for any new or increased activities or service beyond that required by existing law.

**Oversight** assumes the extent of any new or increased activities or service which are beyond the requirements of existing law, will be minimal and can be absorbed within the municipal budgets. While this proposal could result in some procedural changes, Oversight assumes the fiscal impact would be minimal and could be absorbed within existing resources.

Death and Burial Benefits

In response to a similar proposal last session, officials from the **Department of Public Safety - Missouri State Highway Patrol (MHP)** stated that MHP has had 11 officers killed in the line of duty since 1969, an average of one officer every 2.72 years. The statewide average of officers killed in the line of duty is 3 officers per year. However, since the Patrol cannot estimate the number of officers killed in any given year, MHP officials cannot estimate fiscal impact for the \$100,000 death benefit and \$10,000 burial benefit.

Officials from the **Department of Public Safety (DPS) - Director's Office** assume there could be unknown costs as a result of this proposal as it would pay a death benefit to the surviving spouse or child of a public safety officer and would pay burial benefits for a public safety officer killed in the line of duty. Currently, there are 19,000 police officers in the state of Missouri.

In response to a similar proposal, officials from the **Department of Public Safety - Division of Fire Safety (DFS)** assumed they would request appropriations to provide burial and death benefits to families of public safety officers killed in the line of duty. DFS estimates 4 fire fighter deaths per year and assumes the maximum burial and death benefits would be paid to the victim's survivors.

ASSUMPTION (continued)

L.R. NO. 3581-10  
BILL NO. HCS for SS for SB 813  
PAGE 3 OF 6  
April 17, 2000

4 fire fighter deaths x \$10,000 burial benefit = \$40,000  
4 fire fighter deaths x \$100,000 death benefit = \$400,000

DFS assumes the benefits would be paid from the general revenue fund.

In response to a similar proposal, officials from the **Missouri State Water Patrol, Missouri Capitol Police, and Missouri National Guard** assumed this proposal would have no fiscal impact on their agencies.

Officials from the **Department of Natural Resources (DNR)** assume this proposal would provide burial benefits not to exceed \$10,000 and death benefits of \$100,000 subject to appropriation, for children and spouses of public safety officers who are killed or permanently and totally disabled in the line of duty.

The definition of a public safety officer would include DNR's state park rangers. DNR has 47 state park rangers and 22 commissioned state park superintendents that would be included in the definition of a public safety officer and therefore eligible for burial and death benefits.

Officials from the **Department of Conservation (MDC)** assume this proposal would have no fiscal impact on MDC funds.

In response to a similar proposal last session, officials from the **Department of Corrections (DOC)** assumed that DOC employees would meet the criteria of "public safety officer" pursuant to this proposal. There would be no fiscal impact to DOC due to enactment of this proposal. It is unclear whether any benefit would be paid for employees permanently and totally disabled.

Last session, DOC noted that there have been three employees killed in the line of duty over the past soon-to-be twenty-five years. A DOC officer was slain at Jefferson City Correctional Center (fka Missouri State Penitentiary or MSP) in 1975 and also in 1979. Another DOC officer died as a result of a stabbing at Moberly Correctional Center (fka Moberly Training Center for Men) in 1983.

Officials from the **Department of Transportation (DHT)** assumed the total benefit provided by this legislation is \$110,000 per death. The majority of the salaries and benefits provided to officers employed by MHP come from the Highway Fund. Therefore, any additional appropriations to fund this program would result in a reduction in funding to DHT. However, DHT cannot estimate the number of deaths that may occur in any given year.

#### ASSUMPTION (continued)

This proposal defines a "public safety officer" as "any firefighter, police officer, capitol police

officer, sheriff, deputy sheriff, parole officer, probation officer, state correctional employee, water safety officer, park ranger, conservation officer or highway patrolman employed by the state of Missouri or a political subdivision thereof who is killed ***or permanently and totally disabled in the line of duty.*** [emphasis added] This proposal also states that “within the limits of the amounts appropriated therefor, the department shall provide, as defined in this section, a burial and a death benefit to: (1) A spouse of a public safety officer killed in the line of duty; or (2) If there is no surviving spouse, an eligible child of a public safety officer or employee killed in the line of duty.” The proposal provides for a \$10,000 burial benefit and a \$100,000 death benefit. Although the language of the proposal is unclear, if this proposal would pay a death and burial benefit only on those public safety officers killed in the line of duty, based on MHP information of an average of three public safety officers being killed per year and DFS estimates of four fire fighter deaths per year, **Oversight** assumes there could be a fiscal impact to the State of up to \$110,000 per officer killed in the line of duty, or \$770,000, subject to appropriation. As no specific funding source is named in this proposal, Oversight assumes that death and burial benefits would come from General Revenue if appropriated. If this proposal was intended to pay a death and burial benefit to survivors of public safety officers who were killed **or** those permanently and totally disabled in the line of duty at the time of their death, Oversight assumes the fiscal impact could be significantly more.

<u>FISCAL IMPACT - State Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
<u>Death and Burial Benefits</u>			

**GENERAL REVENUE FUND**

<u>Cost - Department of Public Safety (DPS)</u>	(\$ 0 to	(\$ 0 to	(\$ 0 to
Death and Burial Benefits	\$770,000)	\$770,000)	\$770,000)
--SUBJECT TO APPROPRIATIONS--			

<u>FISCAL IMPACT - Local Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
	0	0	0

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

L.R. NO. 3581-10  
BILL NO. HCS for SS for SB 813  
PAGE 5 OF 6  
April 17, 2000

## DESCRIPTION

### Disciplinary Hearings

This proposal would set guidelines for hearings by grievance committees relating to the discipline of certain law enforcement officers, with which law enforcement agencies would be required to comply in the absence of similar procedures that are already in effect.

### Death and Burial Benefits

This proposal establishes a death and burial benefit for certain public safety officers who are killed in the line of duty. The benefits are in addition to any workers' compensation settlements. Payment will be given first to the spouse of the officer. If no spouse exists, the benefit will be given to any eligible child.

The amount of the death benefit will be a lump sum of \$100,000. The amount of burial benefit will be up to \$10,000. Both amounts are subject to appropriation.

This legislation is not federally mandated, would not duplicate any other program, and would not require additional capital improvements or rental space.

## SOURCES OF INFORMATION

Office of State Courts Administrator  
Office of Administration  
Department of Public Safety  
Director's Office  
Missouri State Highway Patrol  
Missouri Capitol Police  
Missouri State Water Patrol  
Division of Fire Safety  
Missouri National Guard

## SOURCES OF INFORMATION

(continued)

Department of Natural Resources  
Department of Corrections  
Department of Conservation

RV:LR:OD:005 (9-94)

L.R. NO. 3581-10  
BILL NO. HCS for SS for SB 813  
PAGE 6 OF 6  
April 17, 2000

Department of Transportation  
Office of the Attorney General  
Jefferson City Police Department

**NOT RESPONDING - Kansas City Police Department, St. Louis City Police Department**

A handwritten signature in black ink, appearing to read "Jeanne Jarrett". The signature is stylized with a large, looped initial "J" and a cursive "Jarrett".

Jeanne Jarrett, CPA  
Director  
April 17, 2000